

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

MERWYN L. LEVERING,

Defendant.

8:04CR178

ORDER

Pursuant to the Judgment of the Eighth Circuit Court of Appeals reversing and remanding this case to the district court for resentencing pursuant to *United States v. Booker*, 125 S. Ct. 738 (2005),

IT IS ORDERED:

1. That resentencing of the defendant is scheduled before the undersigned on **October 16, 2006, at 10:30 a.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The defendant must be present for this hearing.

2. The U.S. Marshal's Office is directed to return the defendant to this district for the above hearing.

DATED this 14th day of July, 2006.

BY THE COURT:

s/ Laurie Smith Camp
United States District Judge